Three Things Democrats Have to Do if They Actually Want to Win

By Thomas B. Edsall

Even now, according to a new survey by the left-leaning group Data for Progress, the Democratic Party has a net negative rating of minus 29 percentage points among swing voters, worse than the minus 25 for the Republican Party. Democrats seeking to restore their party's credibility with the electorate as a whole, but especially among those crucial swing voters, might consider adding three planks — on immigration, urban disorder and transgender issues — to the 2028 Democratic platform.

Why? Because it is these three issues that serve to reinforce the perception that Democrats are willing to sacrifice the interests of the working and middle classes in favor of special interest constituencies.

I am more than a little queasy making these suggestions, but I think the Democratic Party needs to perform a kind of brutal surgery on itself.

The hard-edge character and language of what I am proposing is specifically designed to function as a public renunciation of the Democratic Party's liabilities, its ties to special interest groups and its readiness to succumb to progressive orthodoxy.

The proposals amount, then, to an ideological exorcism.

On immigration, I would suggest — with plenty of room for amendment — the following:

Democrats will firmly enforce laws on illegal immigration, including tough border enforcement and deportation of unauthorized immigrants who commit crimes.

Unauthorized immigrants with no criminal record who have been in this country for at least five years, along with Dreamers, should be offered green cards with a path toward citizenship. More recent arrivals should be deported.

On crime:

The Democratic Party supports aggressive prosecution of those accused of violent crime, those who engage in crowdsourced "teen takeovers" of stores, as well as all forms of child abuse.

The party backs restoration of bail requirements in the case of felonies, lifetime sentences for offenders convicted of multiple violent crimes, tough enforcement of child support laws and the death penalty if supported by the voters in a state and endorsed by a jury.

Transgender and gender dysphoria:

There are two sexes: men and women.

A man can claim an identify as a woman, and the same in reverse for a woman. They have every right to do so. Their claim should be respected and they should be protected from any form of discrimination for their choice.

Their claim does not, however, alter their biological sex.

Consequently, it is legitimate in areas such as sports where a transgender person would have a competitive advantage over non-trans people to bar such participation. Similarly, a claim to a sexual identity does not give a trans woman the right to incarceration in a woman's prison.

Finally, the debate over gender affirming surgery and hormone treatments is fraught with contradictory assertions. For now, because there are credible scientific claims of irreversible harms, such treatments for those under 18 should be barred pending further study.

There are some other planks I would add, including a strong commitment to free speech and an adamant rejection of all forms of cancel culture; an endorsement of equality of opportunity based on merit; the repudiation of socialism in favor of a free and open market accompanied by government regulation to prevent exploitation, monopolization and unfair trade practices.

But for now let's stick with immigration, crime and transgender rights.

In exploring these issues with Democratic strategists, I was surprised to find significant support — with differences over language — from a variety of sources, albeit accompanied by a harsh rejection from a communications specialist for a firm headed by a major Democratic campaign strategist.

I talked by phone with Neera Tanden, the president and chief executive of the Center for American Progress, who described the center's policy papers on immigration and crime, which overlapped with the proposed planks I wrote, but not identical.

Looking toward the midterm elections in November, Tanden argued that crime and immigration offer Democrats a chance to cleave working-class voters away from a severely weakened Republican Party, with a crucial if: *if* they "had a posture on things like crime and immigration that didn't make them make those voters worried or believe that Democrats were kind of crazy."

Tanden continued:

It's really important for candidates in places like Florida, Texas, Iowa, Ohio, Alaska to have a posture on crime and immigration that neutralizes the attacks that will come in the fall.

You need Democrats to actually assure voters on those issues to inoculate themselves from, like, you know, the $100 million of ads that'll come.

In February, I wrote an essay, a kind of Project 2028, offering preliminary thoughts for the party's positioning before the presidential election. Readers responded in droves, so much so that I published their responses as an essay the next week.

Tanden's comments suggest just how significant the adoption of more moderate positions in the midterm elections this would be, precisely because President Trump's weaknesses have measurably improved Democratic prospects and opened up a larger swath of voters for the party to aim its message toward.

A year ago, the Center for American Progress issued a report, "A New Immigration System to Safeguard America's Security, Expand Economic Growth, and Make Us Stronger." It called for:

- Investment in technology, personnel and infrastructure to make illegal border crossing difficult if not impossible.
- Reforming the asylum system "by completely closing the southern border to those without a viable persecution claim or other legal avenues to enter the United States while still maintaining access to the lifesaving protection of asylum under a secure system that quickly processes all border asylum cases at the border itself."

The report includes proposals favored by many immigration proponents: The government, for example, should increase legal immigration by expanding immigration opportunities for innovators and entrepreneurs; by making it easier for the United States to retain graduates of U.S. colleges; preserving family connections; and by creating a "targeted points-based system driven directly by the labor demands of the U.S. economy."

And it should also create "a secure, earned path to citizenship for people here more than a decade and who are contributing to their communities and the country."

The center addressed crime in a report in January, "Delivering Accountability: A Plan to Stop Crime in Our Communities." Among other things, it called for:

- Federal investment in the technologies, law enforcement personnel and the judicial system with the goal of making punishment swift and sure.
- "Ensuring people who commit crimes face consequences for their actions is the hallmark of effective public safety. Holding lawbreakers accountable reduces future crime by deterring crime in the first place. When people believe they will be caught, they are less likely to commit crimes."
- Reducing the number of unsolved crimes "by dedicating federal funding for local law enforcement agencies to hire 7,000 additional detectives to solve homicides and nonfatal shootings."

- Supporting focused deterrence strategies that “identify the individuals or groups most likely to commit violence and offer them a choice — accept resources to transition away from high-risk behavior or face swift and certain arrest and prosecution if they continue to cause harm.”

I ran a version of my platform language on crime, immigration and transgender issues by Lanae Erickson, the senior vice president for social policy, education and politics at the centrist Democratic think tank Third Way, a frequent interlocutor of mine.

Erickson wrote back by email that my language was too strong and “definitely not how I would put it. I think it would be a big problem if what you outlined below became the approach of the Democratic Party.”

Instead, she proposed the following:

There are two genders — male and female. And some people are transgender. There are differences between transgender women and women who aren’t transgender, and we can acknowledge those differences without treating transgender people as less than full members of society.

How does that translate on the issue of trans women’s participation on women’s sports teams?

When it comes to highly competitive and contact sports, there are real concerns about fairness and safety. In certain circumstances, fairness may mean that transgender women won’t be able to compete. That’s why sports associations should and do make rules about participation. But we also need to be reasonable, and a blanket ban on transgender kids’ participation across every age, sport and level of competition is not the right answer. When it’s just for fun, like at recess or a junior recreation league, kids should be able to play around with their peers.

Gender transition surgery?

No transgender young person should be able to access gender-affirming care without the knowledge, involvement and consent of their parents. And thankfully, there is not a single state in this country where a young child would be able to access that care without their parents’ involvement. Politicians should not be overruling parents on complex decisions about their kids’ health care.

Prisons?

On incarceration, the evidence shows transgender women in men’s prisons face high rates of sexual assault and violence. That’s why case-by-case individualized assessment, which is already how many institutions make these determinations, makes more sense than a blanket rule in

either direction. The government should not be putting any incarcerated person at risk of sexual assault to satisfy politicians' ideological whims.

Erickson called for hard-nosed language on immigration and crime, including an explicit renunciation of Biden administration policies:

Democrats reject the chaos created by a lack of serious border policy during the early Biden years. We must be a nation of laws AND a nation of immigrants, and we can't be either if we are not both.

We must restore public trust in the immigration system and in Democrats' willingness to enforce the laws by securing the border, reforming asylum and barring claims between ports of entry, and enshrining and adhering to clear enforcement priorities — deporting violent criminals and new arrivals who do not have a legal right to stay, not grandmothers who are picking their children's kids up from school.

We must also provide a path for folks who have been contributing to their communities for years to come out of the shadows, pay their way and gain legal status that allows them to work, live their lives and care for their families. Ultimately, Democrats must prove we will support policies that are first and foremost good for Americans, not just good for immigrants.

Erickson didn't let up when it came to the Democratic plank on crime, either:

Democrats believe that if people hurt a person in their community, they should be held accountable. Violent crime cannot be tolerated, and the fact that roughly half of murders go unsolved in this country is unacceptable. We must invest in smart, accountable law enforcement, increase clearance rates on violent crimes so that more perpetrators face consequences and more victims get justice, and crack down on traffickers of drugs, guns, and human beings.

Democrats will support policies that protect and improve public safety — in cities, in suburbs and in rural areas. We must implement strategies to prevent crime where possible and at the same time be clear that we will prosecute any person who commits a violent crime in this country to the fullest extent of the law.

I had an exchange of emails with a proponent of transgender rights, Jay Marcellus, director of narrative at ASO Communications, an exchange I found dissatisfying. "Betraying transgender people would be morally repugnant — and electorally disastrous for Democrats," they wrote and continued:

As someone who for the past six years has engaged in extensive research on what mobilizes Americans to participate in politics and what they desire from elected leaders, I can confidently say: Americans are looking for Democrats to lead — with moral conviction, authenticity and a

plan to ensure all people, regardless of our races, backgrounds or genders, can thrive. Announcing an agenda to regulate transgender women's participation in sports is nowhere near their top priorities and making such a move not only raises the saliency of this issue, it affirms Republicans' primacy on it.

Silence, Marcellus continued,

is clearly not the answer — but, as we saw on immigration, your proposal of moving to the right threatens more electoral harm. So what's the solution? Telling the real story of the aspirations and anxieties that Americans of all races and genders have in common, naming the billionaires and their Republican pals who have pitted us against each other and forced us to struggle, and making a case for bold change that would improve the lives of people across the country, whether we're transgender or not.

Cowardice, Marcellus concluded, "doesn't win elections. Leadership does."

I wrote back to ask Marcellus two questions:

How should a Democratic candidate respond if asked whether he/she believes there are just two sexes, male and female, or that there are more than two sexes?

How should a Democratic candidate respond when asked if he/she believes trans women should be allow to join women's sports teams?

Marcellus offered potential candidate responses, first on the two or more sexes question:

I am running to represent all Americans, to fight for your freedoms and your pocketbooks. I am not running to tell you who you should be, how you should dress, or what you should do. It's no more my place to sit in judgment on how you understand your own gender than it is to silence people's speech or take away their rights. I think Americans are sick of Republicans hoping they can stir up hate and sow fear while they take away our freedoms and hand control over our families to their billionaire backers. Americans want leaders who put the many over the money, not bully people just trying to live their lives. I believe in respecting people for who they are, and will take on the billionaires hurting this country so Americans of all races, backgrounds and genders are free to thrive.

On trans women on women's teams:

I care deeply about ensuring safety for women and girls. And that's why I'm horrified that the Republicans ruling over us are protecting pedophiles, shielding rapists and forcing women to give birth. Sports are important, and for years we had longstanding effective policies ensuring fair play in everything from super-elite competitions to neighborhood club teams — until Republicans tossed them out so they could go after a new scapegoat. I'm running to ensure

safety and freedom for all Americans, and that starts by bringing back the rules that were already working, and holding the billionaires and politicians who are harming children, women and our families to account.

I wrote back again:

I can understand the language you propose in circumstances where the Democratic candidate is free to elaborate. But what if it's a debate at which the moderator insists on a direct answer to the questions, "Are there two sexes, male and female, or are there more than two?" and "Should trans women be permitted to join women's sports teams or not?" Wouldn't the answers you suggest be interpreted by many voters as evading the question?

Marcellus's answer on the two or more sexes:

Some people are men, some people are women, and some people understand their gender as falling outside of those categories or in between them, and I respect that. Unlike my Republican opponent, I don't see my job as regulating gender — I see it as regulating billionaires.

On sports teams:

Look. We had policies for years that worked to ensure fair play — until Republicans threw them out to target a new scapegoat. My position is we go back to those standards developed by experts. And I'll be honest, I'm not running for office to say who can play on what sports team. But I sure as hell am going to protect kids from Republican politicians who want to check their genitals before they can suit up for soccer practice.

I hate to say it, but in the purple districts where control of the House will be decided — and the purple states where control of the Senate will be decided and the presidency will be won — a Republican candidate for the House, Senate or presidency would carve a Democrat who gave answers like these into small, easily digestible pieces.